

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GERALD J. KLEIN, On Behalf of Himself and  
all Similarly Situated,

Plaintiff,

v.

TD AMERITRADE HOLDING  
CORPORATION, TD AMERITRADE, INC.,  
AND FREDERIC TOMCZYK

Defendants.

Case No. 8:14-cv-00396-JFB-TDT

**DEFENDANTS' MOTION FOR  
EXTENSION OF TIME**

Defendants TD Ameritrade Holding Corporation, TD Ameritrade, Inc. and Fredric J. Tomczyk (collectively, "Defendants"), pursuant to Fed.R.Civ.P. 6(b)(1)(A), hereby respectfully request that the Court grant a short five-day extension of time for Defendants to answer or otherwise respond to Plaintiff's Complaint from March 19, 2015 until March 24, 2015.

In support of this Motion, Defendants state as follows:

1. By Order dated February 26, 2015, this Court denied various pending Motions regarding consolidation and appointment of lead counsel, and ordered Defendants to answer or otherwise respond to Plaintiff's Complaint on or before March 19, 2015. (Doc. 47).
2. Since the Court's Order of February 26, 2015, Defendants have been diligently preparing Motions to Dismiss and supporting briefs in this and four other related cases pending in this District.
3. Despite working diligently to meet the deadline set by this Court, Defendants have determined that they require additional time to complete their Motion to Dismiss and supporting brief in this case and the four related cases.

4. Accordingly, Defendants are requesting a short extension of time to finalize and file their Motion to Dismiss Plaintiff's Complaint and supporting brief, from Thursday March 19, 2015 until Tuesday March 24, 2015.
5. Defendants submit that good cause exists for the Court to grant this Motion because Defendants and their counsel have made diligent efforts to meet the Court's March 19, 2015 deadline, but have not yet completed the extensive briefing. Furthermore, the extension Defendants are seeking is short, and is not for the purposes of delay.
6. Undersigned counsel has attempted to contact counsel for Plaintiff to determine whether Plaintiff has an objection to the short extension, but was unable to receive confirmation as of the time of filing.

WHEREFORE, Defendants respectfully request that the Court grant this Motion for Extension of Time for Defendants to answer or otherwise respond to Plaintiff's Complaint from March 19, 2015 until March 24, 2015, and for such other relief as the Court deems just and equitable.

Dated this 19th day of March, 2015.

TD AMERITRADE HOLDING CORPORATION,  
TD AMERITRADE, INC. and FREDRIC J.  
TOMCZYK, Defendants

By: s/ Victoria H. Buter

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## CERTIFICATE OF SERVICE

I hereby certify that on March 19th, 2015, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which sent notification of such filing to the following attorneys registered with the CM/ECF system:

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